

**UNITED STATES DISTRICT COURT
DISTRICT OF OREGON**

**XERCES SOCIETY FOR
INVERTEBRATE CONSERVATION
and CENTER FOR BIOLOGICAL
DIVERSITY,**

Case No. 3:22-cv-00790-HZ

Plaintiffs,

v.

ORDER ON REMEDIES

**MICHAEL WATSON, in his official
capacity as Administrator of the
Animal and Plant Health Inspection
Service; and ANIMAL AND PLANT
HEALTH INSPECTION SERVICE,**

Federal Defendants,

and

**STATE OF WYOMING and
STATE OF MONTANA,**

Intervenor-Defendants.

For the reasons set forth in the Court's June 23, 2025 Opinion and Order, ECF 102, and its August 1, 2024 Opinion and Order, ECF 83, IT IS ORDERED THAT:

- (1) The November 2019 Rangeland Grasshopper and Mormon Cricket Suppression Program Final Environmental Impact Statement and the Environmental Assessments and Findings

ORDER

of No Significant Impact challenged in Plaintiffs' First, Second, Third, Fifth, and Eighth Claims for Relief violate the National Environmental Policy Act ("NEPA").

- (2) The November 2019 Rangeland Grasshopper and Mormon Cricket Suppression Program Final Environmental Impact Statement is remanded to the Animal and Plant Health Inspection Service ("APHIS") for further action consistent with the Court's orders referenced above. APHIS shall complete a new environmental impact statement or a supplemental environmental impact statement within two years from the date of the final judgment in this case, consistent with the deadline requirements in 42 U.S.C. § 4336a(g)(1)(A)(i). Should APHIS require additional time, it may request from the Court a new deadline "that provides only so much additional time as is necessary to complete such [environmental impact statement]. . . ." *Id.* § 4336a(g)(2).
- (3) Environmental Assessment Number MT-01-2023-2028, Number MT-02-2023-2028, and Number WY-22-01 and the associated Findings of No Significant Impact are remanded to APHIS for further action consistent with the Court's orders referenced above. Environmental Assessment Number MT-01-2023-2028, Number MT-02-2023-2028, and Number WY-22-01 and the associated Findings of No Significant Impact are also vacated, but vacatur is deferred until October 15, 2025.

DATED: August 16, 2025.


MARCO A. HERNÁNDEZ
United States Senior District Judge